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Government of Kerala
1983

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Monday, 7th March 1983 / 16th Phalguna 1904 [No. 260

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 2649/LA4/83. *Dated, Trivandrum, 7th March 1983.*

The Electricity (Supply) Kerala Amendment Bill. 1983 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/871/MC.

Seventh Kerala Legislative Assembly
Bill No. 28

THE ELECTRICITY (SUPPLY) KERALA AMENDMENT BILL, 1983

A

BILL

to amend the Electricity (Supply) Act, 1948, in its application to the State of Kerala.

Preamble.—WHEREAS it is expedient to amend the Electricity (Supply) Act, 1948, in its application to the State of Kerala, for the purpose hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—This Act may be called the Electricity (Supply) Kerala Amendment Act, 1983.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 21st day of February, 1983.

2. *Amendment of section 49.*—In section 49 of the Electricity (Supply) Act, 1948 (Central Act 54 of 1948) (hereinafter referred to as the principal Act), after sub-section (4), the following sub-section shall be inserted namely:—

"(5) The party to an agreement or any other arrangement entered into prior to the commencement of the Electricity (Supply) Kerala Amendment Act, 1983 and providing for supply of Electricity by the Board shall, notwithstanding anything contained in the instrument of such agreement or other arrangement or in any law including this Act in force at such commencement, pay, in respect of electricity so supplied after such commencement, such price (by whatever name called) calculated in accordance with the uniform tariff framed or modified from time to time under sub-section (1) and applicable to the category to which such party belongs.".

3. *Repeal and Saving.*—(1) The Electricity (Supply) Kerala Amendment Ordinance, 1983 (6 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Out of the 25 Extra High Tension Industrial consumers in the State of Kerala who have entered into agreements with the Kerala State Electricity Board, the Indian Aluminium Company is exempt from tariff revision during the period of agreement. This company consumes about 360 million units of electricity every year and pays only at the rate of 8.36 paise per unit. The agreement with the Company is valid till 31-8-1985. The Kerala State Electricity Board has revised with effect from 1-9-1982 the tariff rate for Extra High Tension consumers to an overall rate of 24.6 paise per unit. A difference of one paise per unit in tariff for Indian Aluminium Company means loss to the extent of Rs. 36 lakhs to the Electricity Board and Rs. 10.8 lakhs to Government by way of Electricity Duty. After revision, the difference in the rate will be roughly 16 paise per unit and accordingly the annual loss to the Electricity Board if they continue to charge at the pre-revision rate would be Rs. 575 lakhs and loss to Government would be Rs. 172.8 lakhs. It was therefore considered necessary to get over the terms of the agreement and to impose uniform rate of tariff on all Extra High Tension consumers. For this purpose, section 49 of the Electricity (Supply) Act, 1948 had to be suitably amended.

2. As the Legislative Assembly was not in session and immediate action in the matter was felt necessary, the Electricity (Supply) Kerala Amendment Ordinance, 1983 was promulgated by the Governor on the 21st February, 1983 to achieve the above object. The Bill seeks to replace the Ordinance by an Act of the Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

R. BALAKRISHNA PILLAI

Reg. No. KL/TV(N)/12

Government of Kerala
1983

KERALA GAZETTE

EXTRAORDINARY

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Vol. XXVIII] Trivandrum, Monday, 7th March 1983 / 16th Phalguna 1904 [No. 262

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt). No. 265/83/LBR. *Dated, Trivandrum, 7th March,* 1983.

S. R. O. No. 296/83.—WHEREAS the Government of Kerala by notification G.O. (Rt.) No. 270/81/LBR dated the 25th February, 1981, published as S.R.O. No. 282/81/in part I of the Kerala Gazette No. 10 dated the 10th March, 1981, have under sub clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), declared the industry "Fertilisers" which is an industry specified in the First Schedule to the said Act, to be a public utility service, for the purposes of the said Act for a period of six months from the 10th March, 1981;

AND WHEREAS the said period of six months declaring the said industry to be a Public Utility Service has been further extended from time to time for periods not exceeding six months at a time by subsequent similar notifications;

AND WHEREAS the period of so extended will expire on the 9th March, 1983;

AND WHEREAS the Government of Kerala are of opinion that public interest requires further extension of the said period;

NOW, THEREFORE, in exercise of the powers conferred by sub-clause (vi)of clause (n) of section 2 of the said Act the Government of Kerala hereby declare the Industry specified below to be a Public Utility Service for the purposes of the said Act, for a further period of six months from the 10th March, 1983, namely:—

INDUSTRY DECLARED TO BE PUBLIC UTILITY SERVICE

"Fertilisers."

By order of the Governor,

V. KRISHNAMURTHY,
Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

Government of Kerala have declared the industry in respect of manufacture, marketing and distribution of fertiliser products as a public utility service under the Industrial Disputes Act, 1947 (Central Act 14 of 1947) by G.O. (Rt.) No. 270/81/LBR dated 25-2-1981. The validity of the notification has been further extended by notification numbers G.O. (Rt.) 1149/81/LBR dated 1-9-1981, G.O.(Rt.) 226/82/LBR dated 5-3-1982 and G.O. (Rt.)951/82/LBR dated 6-9-1982. The validity of the present notification expires on 9th March 1983. The General Manager (Personnel), The Fertilizers and Chemicals Travancore Limited, Udyogamandal in his letter No. GM (P)83/83 dated 5-2-1983 has requested the Government to issue a fresh notification extending the validity of the declaration of the said industry as a public utility service for a further period of six months from 10th March 1983. The Government of Kerala are satisfied that public interests so require to declare the said industry to be a public utility service and therefore decided to declare the industry "Fertilisers" to be a public utility service for a further period of six months from 10th March 1983. The notification is intended to achieve the above purpose.

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Government of Kerala
1983

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KERALA GAZETTE

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Vol. XXVIII] Trivandrum, Monday, 7th March 1983 / 16th Phalguna 1904 [No. 263

GOVERNMENT OF KERALA

Transport, Fisheries & Ports (G) Department

NOTIFICATION

No. 2180/G3/82/TF&PD. *Dated, Trivandrum, 3rd March,* 1983.

S. R. O. No. 297/83.—Under sub-rule (1) of rule 23 of the Kerala State Ports Harbour Craft Rules, 1970, the Government of Kerala hereby make the following further amendment to the notification No. 1448/59/PW. dated the 26th May, 1959, published in Part I of the Kerala Gazette dated the 9th June 1959, sanctioning the rates of hire for the carriage of cargo or passengers in registered harbour crafts licensed to ply for hire within the limits of the ports of Kozhikode and Badakara in the Kozhikode District and Tellicherry, Cannanore and Azhikkal in the Cannanore District, namely:—

AMENDMENT

In the Schedule to the said Notification, for the sub-heading "Schedule of Boat Hire Rates from Pier to Steamers and vice versa for steamer work in Kozhikode Port" under the heading "I RATES OF HIRE FOR THE PORT OF KOZHIKODE IN THE KOZHIKODE DISTRICT", and the entries thereunder the following sub heading and entries shall be substituted, namely:—

"Schedule of boat hire rates from Pier to Steamers or vice versa for steamer work in Calicut and Beypore Ports.

Sl. No.	Description of cargo	Unit	Per	Boat hire Rate Rs. P.
(1)	(2)	(3)	(4)	(5)
1.	Acid in cases	Per case	Case	5.95
2.	Acid in carboys		Carboy	3.85
3.	Arecanuts in bags		100 bags	118.90
4.	Ashalt in casks		Cask	9.80
5.	Bamboo blinds		100 blinds	169.90
6.	Barbed wire in rolls upto		51 Kgs. Roll	1.90
7.	Beedi leave in bags		100 bags	98.15
8.	Beedi leave in bundles		Bundle	15.10
9.	Boras cotton waste		Bora	5.95
10.	Bran in bags of	51 Kgs.	100 bags	98.15
11.	Buckets in bundles	12 Nos.	Bundle	1.20
12.	Cane in bundle		Bundle	4.70
13.	Cardamoms in bags		100 bags	118.90
14.	Cardamoms in cases		100 cases	237.85
15.	Cashew Kernels in cases		100 cases	86.80
16.	Cement in bags of	51 Kgs.	100 bags	102.35
17.	Chillies in single bags		100 bags	98.15
18.	Chillies in bundles		100 bundles	118.90
19.	Cincona in bags		100 bags	118.90
20.	Coaltar in Drums	204 Kgs.	per drum	9.80
21.	Coal in bags		100 bags	124.55
22.	Coffee-Copra-Coculus-induieus-Pepper—Oil cake—Nux vomica and Turmeric in bags		100 bags	118.90
23.	Coffee husks in boras	75 Kgs.	Each	1.90
24.	Coir yarn in bales of	153 Kgs.	100 bales	282.85
25.	Coir yarn Dholls		per tonne	47.05
26.	Coir yarn and Hawser		Quintal	4.70
27.	Coir fibre in bales	127 kgs.	100 bales	236.80
28.	Coconut moist in bags		100 bags	118.90

(1)	(2)	(3)	(4)	(5)
29.	Coconut in bags Dry Goa Earooch and Swadeshi in big bags		100 bags	151.00
30.	Copper Sheets upto	250 Kgs.	Bundle	5.95
31.	Coconut Oil in Drums		Drum	9.80
32.	Corriender seeds in bags	57 Kgs.	100 bags	98.15
33.	Corriender seeds in bags	above 57 kgs. upto 76 Kgs.	100 bags	158.70
34.	Condensed Milk in cases		100 cases	75.45
35.	Cotton Bales upto	182 Kgs.	Each bale	3.85
36.	Cotton Bales upto	227 Kgs.	Each bale	5.95
37.	Cummin Seeds of	51 Kgs.	100 bags	97.05
38.	Cotton seeds in bags		100 bags	97.05
39.	Crooks		Each	2.30
40.	Empty barrels		Each	3.00
41.	Fertiliser in bags upto	51 Kgs.	100 bags	102.35
42.	Fertilizer in bags	Over 51 Kgs. upto 76 Kgs.	100 bags	118.90
43.	Fertilizer in bags	Over 76 Kgs. upto 100 Kgs.	100 bags	158.60
44.	Flour in bags upto	89 Kgs.	100 bags	118.90
45.	Cinger in bags		100 bags	118.90
46.	Cinger (Aden)		100 bags	151.00
47.	Crains and Rice upto	76 Kgs.	100 bags	128.75
48.	Crains and Rice	Over 76 Kgs. upto 87 Kgs.	100 bags	160.55
49.	Grains and Rice	Over 87 Kgs. upto 102 Kgs.	100 bags	182.30
50.	Crains and rice	Over 102 Kgs. upto 117 Kgs.	100 bags	196.25
51.	Cunnies in bundles	100 Nos.	Bundle	2.40
52.	Cunnies in bundles	500 Nos.	Bundle	9.80
53.	Jute twine in bales upto	182 Kgs.	Bale	7.60
54.	Kismiss in cases		100 cases	98.15
55.	Manure in bags upto	26 Kgs.	100 bags	75.45

(1)	(2)	(3)	(4)	(5)
56.	Manure in bags	Over 26 Kgs. upto 51 Kgs.	100 bags	98.15
57.	Manure in bags	Over 51 Kgs. upto 76 Kgs.	100 bags	118.90
58.	Manure in bags	over 76 kgs. upto 102 kgs.	100 bags	158.60
59.	Machinery in cases	upto 2 qtls.	Tonne	39.60
60.	Machinery in cases/crates	over 2 qtls. upto 5 qtls.	Tonne	90.60
61.	Machinery in cases/crates	Over 5 qtls. upto one tonne	Tonne	147.15
62.	Metal rods		Tonne	39.60
63.	Newspaper Bales upto	128 kgs.	Bale	3.85
64.	Newspaper Bales	Over 128 kgs. upto 153 kgs.	Bale	5.95
65.	Newsprint Rolls		Roll	11.85
66.	Onions in bags		100 bags	98.15
67.	Paddy in bags		100 bags	98.15
68.	Paint in drums	upto 7 Kgs.	100 drums	49.05
69.	Paint in drums	Over 7 Kgs. Upto 13 Kgs.	100 drums	75.45
70.	Paint in drums	Over 13 Kgs. upto 26 Kgs.	100 drums	97.65
71.	Paint in drums	Over 26 Kgs. upto 51 Kgs.	100 drums	118.90
72.	Piece goods in small bales		Bale	1.90
73.	Piece goods in big bales		bale	3.85
74.	Plywood crates		crate	7.60
75.	Rayon pulp bales		each	3.85
76.	Roll Iron Shutters per quintal		quintal	30.20
77.	Rubber in bundles upto	102 Kgs.	100 bundles	137.85
78.	Rubber in chests in quarter size		100 chests	64.10
79.	Rubber in cases in half size		100 chests	105.65
80.	Rubber in cases in full size		100 chests	139.55
81.	Rubber in large cases		100 cases	158.60

(1)	(2)	(3)	(4)	(5)
82.	Soap in cases		100 cases	75.50
83.	Rubber Latex in barrels		Each barrel	9.80
84.	Soda ash in bags		100 bags	88.80
85.	Sugar in bags upto	76 Kgs.	100 bags	98.15
86.	Sugar in bags	Over 76 kgs. upto 102 Kgs.	100 bags	158.60
87.	Tamarind in bundles	upto 51 Kgs.	100 bundles	118.90
88.	Tamarind in bundles	Over 51 Kgs. Upto 102 Kgs.	100 bundles	237.80
89.	Tea in Quarter chests		100 chests	83.05
90.	Tea in half chests		100 chests	98.15
91.	Tea in ful chests		100 chests	122.55
92.	Tea in very large cases		100 cases	143.50
93.	Timber scantlings		Tonne/C.M.	56.60
94.	Timber logs		Tonne/C.M.	68.30
95.	Tobacco in bags		100 bags	118.90
96.	Umbrella ribgs in cases		Each cases	9.80
97.	Tiles		Per 1000	68.35

Note: The above rates will be payable even when cargo is once loaded and then reloaded for any reason.

Other additional charges payable for Detention of Boats Overtime etc.

1.	If Steamers do not arrive within 16 hours after completion of loading	Half the above rates for every 16 hours.
2.	Laden Harbour crafts which proceed under instructions from the steamer agents or shipper to steamers which are expected to arrive and which have to sail back to shore due to non-arrival or cancellation of steamers	Half the above rates.

3.	Empty Harbour Crafts which are once engaged for discharged and which have to wait for arrival of the steamer	Half the above rates every 16 hours.
4.	Empty Harbour crafts which proceed under instructions from the steamer agents to steamers which are expected to arrive and which have to sail back to shore due to non-arrival or cancellation of steamers.	Half the above rates.
5.	If laden Harbour crafts are held up from proceeding to steamers due to foul weather and rough seas and have to remain anchored in the sea or Beypore river till the weather settles down.	(i) At Beypore: Half the above rates for every 24 hours of detention. (ii) At Calicut. Half the above rates for every 16 hours of detention.
6.	Cargo shut out by the Steamer	Full rate.
7.	Laden Harbour crafts which proceed to Beypore or vice versa under instructions from the shippers due to foul weather etc.	Half the above rates.
8.	Laden Harbour crafts which had to wait at Pier by any other cause beyond the control of the Boat owners	Half the above rates for every 16 hours.
9.	For taking cargo from Calicut to Beypore or vice versa	Half the above rates.
10.	For work during monsoon period (from 16th May to 31st August)	Full rate.
11.	Night allowance when empty Harbour crafts are engaged between 6 p.m. and 6 a.m.	Rc. 1 per Registered tonnage of the Harbour craft.
12.	Night allowance when loaded harbour crafts are compelled to stay at the pier or wharf after 8.30 p.m.	Rs. 2 per Registered tonnage of the Harbour Craft.
13.	When empty Harbour Crafts engaged for work are compelled to stay at the pier or at the wharf because of bad weather.	Rs. 75 per day per Harbour craft.

14.	Incidental charges and for increase in cost of Maintenance of Harbour Crafts (Boats)	Rs. 3 per tonne of cargo carried.

By order of the Governor,

R. C. CHOUDHURY,
Special Secretary.

Explanatory Note

(This is not a part of the Notification).

The rate of hire for carriage of cargo or passengers in registered Harbour Crafts licensed to ply for hire within the Part limit of Calicut has to be revised. This notification is intended to achieve the above purpose.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Monday, 7th March 1983 / 16th Phalguna 1904 (Saka) [No. 261

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 2650/LA-4/83. *Dated, Trivandrum 7th March 1983.*

The Kerala General Sales Tax (Amendment) Bill 1983 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1983.

33/874/J.

THE KERALA GENERAL SALES TAX (AMENDMENT) BILL, 1983

A
BILL

further to amend the Kerala General Sales Tax Act, 1963.

Preamble.—WHEREAS it is expedient further to amend the Kerala General Sales Tax Act, 1963, for the purposes hereinafter appearing;

BE it enacted in the Thirty-fourth year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This act may be called the Kerala General Sales Tax (Amendment) Act, 1983.

(2) Clauses (a) and (b) of section 2 and sections 3, 4, 5, 6, 7 and 8 shall be deemed to have come into force on the 1st day of April, 1982, and the remaining provisions of this Act shall be deemed to have come into force on the 14th day of October, 1982.

2. *Amendment of section 5.*—In section 5 of the Kerala General Sales Tax Act, 1963 (15 of 1963) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the words "fifty thousand rupees", the words "seventy-five thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "fifteen thousand rupees", the words "twenty-five thousand rupees" shall be substituted;

(c) after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Notwithstanding anything contained in sub-section (1) or sub-section (2), the tax payable by a dealer in respect of any sale of the goods specified in the First Schedule, which is liable to tax at a rate higher than four per cent, by such dealer to another for use by the latter as component part, not being a component part as defined in the *Explanation* to sub-section (3), of any other goods mentioned in the said Schedule, which he intends to manufacture inside the State for sale shall be at the rate of only four per cent on the taxable turnover relating to such sale:

Provided that the provisions of this sub-section shall not apply to any sale unless the dealer selling the goods furnishes to the assessing authority in the prescribed manner a declaration duly filled in and signed by the dealer to whom the goods are sold containing the prescribed particulars in the prescribed form:

Provided further that the goods sold are capable of being used as component part, not being a component part as defined in the said *Explanation*, of any of the goods specified in the First Schedule.".

(d) after sub-section (6), the following sub-section shall be inserted, namely:—

"(7) Notwithstanding anything contained in sub-section (1) or sub-section (2), the tax payable by a dealer in respect of any sale of industrial raw materials or packing materials, which is liable to tax at a rate higher than four per cent, when sold to industrial units for use in the production of finished products inside the State for sale or for packing of such finished products inside the State for sale, as the case may be, shall be at the rate of only four per cent on the taxable turnover relating to such industrial raw materials or packing materials, as the case may be:

Provided that this sub-section shall not apply where the sale of such finished products is not liable to tax either under this Act or under the Central Sales Tax Act, 1956 (Central Act 74 of 1956) or when such finished products are exported out of the territory of India:

Provided further that the provisions of this sub-section shall not apply to any sale unless the dealer selling the goods furnishes to the assessing authority in the prescribed manner a declaration duly filled in and signed by the dealer to whom the goods are sold, containing the prescribed particulars in the prescribed form.".

3. *Amendment of section 5A.*—In section 5A of the principal Act,—

(a) in sub-section (2), for the words "fifty thousand rupees" and "fifteen thousand rupees", the words "seventy-five thousand rupees" and "twenty-five thousand rupees" shall respectively be substituted;

(b) in sub-section (3), for the words "fifty thousand rupees" and "fifty-five thousand rupees", the words "seventy-five thousand rupees" and "eighty thousand rupees" shall respectively be substituted.

4. *Amendment of section 7.*—In section 7 of the principal Act, for the words "fifty thousand rupees" and "fifty-five thousand rupees", the words "seventy-five thousand rupees" and "eighty thousand rupees", shall respectively be substituted.

5. *Amendment of section* 13.—In section 13 of the principal Act,—

(a) in sub-section (1), for the words "fifty thousand rupees", the words "seventy-five thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "fifteen thousand rupees", the words "twenty-five thousand rupees" shall be substituted.

6. *Amendment of section* 17.—In section 17 of the principal Act, in sub-sections (4) and (6), for the words "one lakh and fifty thousand rupees", the words "two lakhs rupees" shall be substituted;

7. *Omission of section* 18.—Section 18 of the principal Act shall be omitted.

8. *Amendment of section* 34.—In section 34 of the principal Act, the words, brackets and figures "sub-section (1), sub-section (2) or sub-section (3) of section 18", in both the places where they occur, shall be omitted;

9. *Amendment of First Schedule.*—In the First Schedule to the principal Act,—

(a) in column (4) against serial number 3, for the figures "10", the figure "8" shall be substituted;

(b) in column (4) against serial number 8, for the figures "10", the figure "8" shall be substituted;

(c) serial number 16 and the entries relating thereto shall be omitted;

(d) in column (4) against serial number 20, for the figures "10", the figure "8" shall be substituted;

(e) before serial number 37 and the entries relating thereto, the following shall be inserted, namely:—

"36A	Arrack	At the point of first sale in the State by a dealer who is liable to tax under section 5	15";

(f) in column (4) against serial number 39, for the figures "10", the figure "8" shall be substituted;

(g) for serial number 40, and the entries relating thereto, the following shall be substituted, namely:—

"40	Synthetic rubber and its products and mixture of rubber and synthetic rubber and its products, excluding synthetic rubber foam, polyurethene foam and plastic foam and their products	At the point of first sale in the State by a dealer who is liable to tax under section 5	12
40A	Synthetic rubber foam, polyurethene foam and plastic foam and their products	do.	15";

(h) for serial numbers 42 and 43 and the entries relating thereto, the following shall be substituted, namely:—

"42	Artificial silk yarn and synthetic polyester fibre	At the point of first sale in the State by a dealer who is liable to tax under section 5	4
43	Staple fibre yarn	do.	2";

(i) in column (4) against serial number 61, for the figure "8", the figure "6" shall be substituted;

(j) for serial number 72 and the entries relating thereto, the following shall be substituted, namely:—

"72	Paints, colours and lacquers	At the point of first sale in the State by a dealer who is liable to tax under section 5	10
72A	Varnishes, pigments, polishes, indigo, enamel, putty, bale oil, white oil, turpentine oil, thinners, emers and paint brushes	do.	7";

(k) in column (4) against serial number 73, for the figure "7", the figures "10" shall be substituted;

(l) in the entries in column (2) against serial number 84, for item (x), the following item shall be substituted, namely:—

"(x) Dicalcium Phosphate";

(m) in column (4) against serial number 95, for the figure "7", the figures "10" shall be substituted;

(n) in column (4) against serial number 99, for the figure "6", the figure "4" shall be substituted;

(o) in column (4) against serial number 112, for the figure "5", the figures "10" shall be substituted;

(p) in column (4) against serial number 115, for the figure "8", the figure "6" shall be substituted;

(q) in column (4) against serial number 117, for the figure "7", the figures "10" shall be substituted;

(r) in column (4) against serial number 119, for the figure "9", the figure "8" shall be substituted;

(s) in column (4) against serial number 124, for the figure "8", the figure "6" shall be substituted;

(t) before serial number 130 and the entries relating thereto, the following shall be inserted, namely:—

"129A.	Grinders, mixers, hot plates, water heaters, washing machines and cooking ranges used as domestic electric appliances	At the point of first sale in the State by a dealer who is liable to tax under section 5	12";

(u) in column (4) against serial number 136, for the figures "13", the figures "15" shall be substituted;

(v) in column (4) against serial number 146, for the figure "6", the figure "5" shall be substituted;

(w) in column (4) against serial number 154, for the figures "12", the figures "15" shall be substituted;

(x) for serial number 156 and the entries relating thereto, the following shall be substituted, namely:—

"156	Plastics and articles made of plastics including plastic pipes	At the point of first sale in the State by a dealer who is liable to tax under section 5	6";

(y) for the entry in column (2) against serial number 168, the following shall be substituted, namely:—

"Pipes made of synthetic materials other than plastics".

10. *Amendment of Third Schedule.*—In the Third Schedule to the principal Act,—

(a) serial number 11A and the entry relating thereto shall be omitted;

(b) the following shall be inserted at the end, namely:—

"17. Slates and slate pencils.

18. Tapioca and its products.".

11. *Repeal and saving.*—(1) The Kerala General Sales Tax (Amendment) Ordinance, 1982 (5 of 1982), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The Minister of Finance and Law in his Budget Speech on the 2nd July, 1982, has, *inter alia*, announced the following proposals in regard to sales tax :—

(i) sales tax on slates and pencils will be abolished;

(ii) the system of provisional assessment provided in section 18 of the Kerala General Sales Tax Act, 1963, will be abolished;

(iii) the exemption limit in respect of multi-point taxation will be raised from Rs. 50,000 to Rs. 75,000 and that in respect of single point taxation will be raised from Rs. 15,000 to Rs. 25,000;

(iv) compounding facility will be extended to traders with an annual turnover between Rs. 75,000 and Rs. 80,000;

(v) the limit of the simplified system prescribed in section 17(4) of the Kerala General Sales Tax Act, 1963 will be raised from Rs. 1½ lakhs to Rs. 2 lakhs;

(vi) sales tax of 2 percent on tapioca products will be abolished;

(vii) tax on all industrial raw materials now subjected to a rate higher than 4% will be reduced to 4%;

(viii) all components which are subjected to tax at a rate higher than 4% will be reduced to 4%;

(ix) the higher rate of tax now being levied on packing materials will be reduced to 4% in respect of purchases by industrial units for packing purposes;

(x) sales tax on certain essential commodities having an impact on the common people will be reduced in order to make the rates in Kerala equal to the rates in the other South Indian States;

(xi) sales tax on certain luxury goods will be raised to the higher levels prevailing in the neighbouring States ;

(xii) sales tax at 15 per cent will be levied on arrack at the first point of sale in the State.

2. The Kerala General Sales Tax Act, 1963 had to be amended to give effect to the above proposals. Since the Legislative Assembly was not in session and the proposals had to be given effect to immediately the Kerala General Sales Tax Act (Amendment) Ordinance, 1982, (Ordinance No. 5 of 1982) was promulgated by the Governor on the 12th October, 1982, for the purpose. The Bill seeks to replace the Ordinance by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

According to the first proviso to sub-section (3A) and the Second proviso to sub section (7) proposed to be inserted in section 5 of the Act by clause 2 of the Bill the provision of those sub-sections shall not apply to a sale, unless the dealer furnishes a declaration to the assessing authority. The manner of furnishing the declaration, the form of the declaration and the particulars to be contained therein have to be furnished by rules to be made under the Act.

2. The matters in respect of which rules may be made are only matters of procedure and detail. The delegation of legislative power is, therefore, of a normal character.

K. M. MANI.

Government of Kerala
1983

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Monday 7th March 1983 / 16th Phalguna 1904 (Saka) [No. 271

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport B) Department

NOTIFICATION

No. 32099/TB2/82/TF&P. *Dated, Trivandrum, 21st February 1983.*

S. R. O. No. 304/83.—Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution of India, the President has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962), in relation to the acquisition of lands for the purpose of the union in the State of Kerala ;

And, whereas, it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose, to wit for doubling rail track between Trichur and Ollur Railway Stations ;

Now, therefore, notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of subsection (1) of section 3 of the said Act.

33/891/V.

Under subsection (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

SCHEDULE

District—Trichur

Taluk—Trichur

Village—Koorkancherry
(Block No. 258)
(The extent given is approximate)

Sl. No.	*Survey No.*	*Classification*	*Extent in Hectare*
1	253/ 1 Part	Dry	0.0653
2	254 Part	Dry	0.0015
3	265/ 1 Part	Dry now Wet	0.0020
4	265/ 2 Part	Dry	0.0693
5	265/ 3 Part	Dry	0.0030
		Total:	0.1411

Explanatory Note

(This is not part of the notification, but is intended to, bring out the general purport,)

The President of India has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the powers to acquire lands for the use of Central Government in the State and it appears to the State Government that the lands mentioned in the schedule above are needed for a public purpose viz. for doubling of rail track between Trichur an.l Ollur.

This notification is intended for the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 304/ 83.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, രാഷ്ട്രപതി 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനംമൂലം, കേരള സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) പ്രകാരമുള്ള കേന്ദ്ര സർക്കാരിന്റെ ചുമതലകൾ, കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിന് അതായത് തൃശ്ശൂർ-ഒല്ലൂർ റെയിൽവേ സ്റ്റേഷനുകൾക്കിടയ്ക്കുള്ള റെയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടായേക്കാമെന്നോ കേരള സർക്കാരിന് തോന്നുന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, അതുസംബന്ധിച്ച നോട്ടീസ് ബന്ധപ്പെട്ട എല്ലാ പേർക്കും പ്രസ്തുത ആക്റ്റ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ പ്രകാരം ഇതിനാൽ നൽകുന്നു.

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം സംഗതിയുടെ അടിയന്തിരസ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ഈ സംഗതിക്ക് ബാധകമാകുന്നതല്ലെന്ന് സർക്കാർ നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

ജില്ല—തൃശ്ശൂർ

താലൂക്ക്—തൃശ്ശൂർ

വില്ലേജ്—കൂർക്കാഞ്ചേരി

(ബ്ലോക്ക് നമ്പർ 258)

(സുമാർ വിസ്തീർണ്ണമാണ് നൽകിയിരിക്കുന്നത്)

ക്രമനമ്പർ	സർവ്വെ നമ്പർ	തരംതിരിക്കൽ	വിസ്തീർണ്ണം ഹെക്ടറിൽ
1	253/1 ഭാഗം	പുരയിടം	0.0653
2	254 ഭാഗം	പുരയിടം	0.0015
3	265/1 ഭാഗം	പുരയിടം ഇപ്പോൾ നിലം	0.0020
4	265/2 ഭാഗം	പുരയിടം	0.0693
5	265/3 ഭാഗം	പുരയിടം	0.0030
		ആകെ	0.1411

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

ഇൻഡ്യൻ പ്രസിഡന്റ് 31-5-1963-ലെ 2/4/63/ ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനംമൂലം ഈ സംസ്ഥാനത്ത് കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപിച്ചിട്ടുള്ളതും, മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് തൃശ്ശൂരിനും ഒല്ലൂരിനും ഇടയ്ക്കുള്ള റയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന് ആവശ്യമാണെന്ന് സംസ്ഥാന സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിട്ടുള്ളതും ആകുന്നു.

മേൽപ്പറഞ്ഞ ആവശ്യത്തിനു വേണ്ടിയുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
K. KARUNAKARAN,
Additional Secretary to Government.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983

Reg. No. KL/TV(N)/1:

KERALA GAZETTE

:XTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Monday, 7th March 1983 / 16th Phalguna 1904 (Saka) [No. 267

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-B) Department

NOTIFICATION

No. 18/TB2/83/TF & P. *Dated,Trivandrum 22nd February* 1983.

S.R.O. No. 300/83.—Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution of India, the Pacsident has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962), in relation to the acquisition of lands for the purpose of the Union in the State of Kerala;

And whereas it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose,.to wit for doubling rail track between Mulangunnathukavu and Trichur Railway Stations;

Now, therefore, notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of subsection (1) of section 3 of the said Act.

Under subsection (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

33/887/S

Schedule

District—Trichur.

Taluk—Trichur. Village—Pottore.

(Block No.—266)

(The extent given is approximate)

Sl. No.	*Sy. No.*	*Classification*	*Extent in Hectares*
1	264/1 Full	Dry	0.1173
2	264/2 Full	,,	0.0486
3	265/Part	,,	0.0020
4	345/2 ,,	,,	0.0030
5	346/2 ,,	Dry now lane	0 0018
6	346/3 ,,	Dry	0.0095
7	346/4 ,,	,,	0.0300
8	346/5 ,,	,,	0.0010
9	346/8 ,,	,,	0.0110
10	347/3 ,,	,,	0.0150
11	347/4 ,,	,,	0.0180
12	347/5 Full	,,	0.0060
13	640/1 ,,	,,	0.0324
14	640/3 ,,	,,	0.0081
		Total	0.3037

Explanatory Note

(This is not part of the notification but is intended to bring out the general purport.)

The President of India has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the powers acquire land for the use of Central Government in the State and it appears to the State Government that the lands mentioned in the schedule above are needed for a public purpose viz. for doubling of rail track between Mulangunnathukavu and Trichur.

This notification is intended for the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 300/83.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63 ജൂഡിഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനം മൂലം, കേരള സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) പ്രകാരമുള്ള കേന്ദ്ര സർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിരിക്കുന്നതിനാലും ;

താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിന് അതായത് മുളംകുന്നത്തുകാവിനും തൃശ്ശൂരിനും ഇടയ്ക്ക് റയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടായേക്കാമെന്നോ കേരള സർക്കാരിനു തോന്നുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, അതു സംബന്ധിച്ച നോട്ടീസ് ബന്ധപ്പെട്ട എല്ലാ പേർക്കും പ്രസ്തുത ആക്ട് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ പ്രകാരം ഇതിനാൽ നൽകുന്നു.

പ്രസ്തുത ആക്ട് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം സംഗതിയുടെ അടിയന്തിരസ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്ട് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ഈ സംഗതിക്ക് ബാധകമാകുന്നതല്ലെന്നു സർക്കാർ നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

ജില്ല—തൃശ്ശൂർ.

താലൂക്ക്—തൃശ്ശൂർ. വില്ലേജ്—പോട്ടോർ.

(ബ്ലോക്ക് നമ്പർ—266)

(സുമാർ വിസ്തീർണ്ണമാണ് നൽകിയിരിക്കുന്നത്)

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	തരംതിരിക്കൽ	വിസ്തീർണ്ണം ഹെക്ടർ
1	264/1 മുഴുവനും	പുരയിടം	0.1173
2	264/2 ,,	,,	0.0486
3	265/ ഭാഗം	,,	0.0020
4	345/2 ,,	,,	0.0030
5	346/2 ,,	പുരയിടം ഇപ്പോൾ ഇടവഴി	0.0018
6	346/3 ,,	പുരയിടം	0.0095
7	346/4 ,,	,,	0.0300
8	346/5 ,,	,,	0.0010
9	346/8 ,,	,,	0.0110
10	347/3 ,,	,,	0.0150
11	347/4 ,,	,,	0.0180
12	347/5 മുഴുവനും	,,	0.0060
13	640/1 ,,	,,	0.0324
14	640/3 ,,	,,	0.0081
		ആകെ	0.3037

<u>വിശദീകരണക്കുറിപ്പ്</u>

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല, എന്നാൽ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

ഇൻഡ്യൻ പ്രസിഡൻറ് 31-5-1963-ലെ 2/4/63 ജുഡിഷ്യൽ 11 എന്ന നമ്പർ വിജ്ഞാപനംമൂലം ഈ സംസ്ഥാനത്ത് കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിട്ടുള്ളതും മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് മുളംകുന്നത്തുകാവിനും തൃശ്ശൂരിനും ഇടയ്ക്ക് റയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന് ആവശ്യമാണെന്ന് സംസ്ഥാന സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിട്ടുള്ളതും ആകുന്നു.

മേൽപ്പറഞ്ഞ ആവശ്യത്തിനുവേണ്ടിയുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,

K. KARUNAKARAN,
Additional Secretary to Government.

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